

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ATARI INTERACTIVE, INC.,
Plaintiff,
v.
REDBUBBLE, INC.,
Defendant.

Case No. 18-cv-03451-JST

**ORDER GRANTING IN PART AND
DENYING IN PART MOTION TO FILE
UNDER SEAL**

Re: ECF No. 63

Plaintiff Atari Interactive, Inc. moves to file certain documents under seal, including documents designated as confidential by Defendant Redbubble, Inc. ECF No. 63. Redbubble has filed a declaration in support of sealing. ECF No. 67.

After reviewing the parties' supporting declarations, the Court finds that the parties have shown compelling reasons to seal certain portions of the filed brief and accompanying exhibits, and that those proposed redactions are narrowly tailored. *See Kamakana v. City & Cty. of Honolulu*, 447 F.3d 1172, 1178-79 (9th Cir. 2006); Civil L.R. 79-5(b). Other proposed redactions do not meet these requirements, and the motion to seal those portions will be denied. The Court rules as follows:

Document Containing Confidential Material	Evidence Offered in Support of Sealing	Court Order
Declaration of Frederic Chesnais ¶ 20 (disclosing licensing revenue) and Exhibit E (licensing agreements)	Venezia Decl. ¶ 4 (ECF No. 63-1)	Granted as confidential business information.
Declaration of Keith J. Wesley, Exhibit A-2 (Redbubble chart showing	Masur Decl. ¶ 3 (ECF No. 67)	Granted in part and denied in part. The sealing request is not narrowly tailored.

Document Containing Confidential Material	Evidence Offered in Support of Sealing	Court Order
designs sold on website)		Redbubble seeks to seal the exhibit because it “contains personally identifying information, including email and home addresses and financial information, for users of the Redbubble website.” ECF No. 67 ¶ 3. The Court grants sealing of such information. However, the exhibit contains additional information for which Redbubble does not seek sealing. That information must be filed in the public record.
Declaration of Keith J. Wesley, Exhibit B (Excerpts from deposition of Arnaud Deshais)	Masur Decl. ¶ 4	Denied. Redbubble withdrew its confidentiality designation except as to three pages. The Court has reviewed those pages and does not find the information (Mr. Deshais’s employment history and purchase experience with Redbubble) to be sealable.
Declaration of Keith J. Wesley, Exhibit D (Excerpts from deposition of James N. Toy)	Masur Decl. ¶ 5	Denied. Redbubble withdrew its confidentiality designation.
Declaration of Keith J. Wesley, Exhibit D (Exhibits 1044, 1049, and 1054 to deposition of James N. Toy)	Masur Decl. ¶ 6	Granted as confidential business information.
Atari’s motion for summary judgment to the extent it quotes or paraphrases the above material		Granted in part and denied in part, in accordance with the above rulings.

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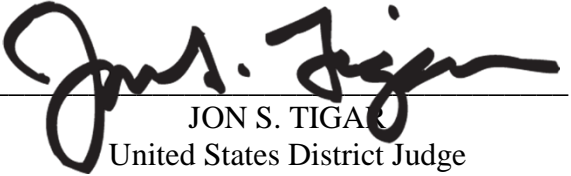
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Pursuant to Civil Local Rule 79-5(f), Atari shall file updated documents in accordance with the above rulings within seven days of the date of this order.

IT IS SO ORDERED.

Dated: May 11, 2020



JON S. TIGAR
United States District Judge

United States District Court
Northern District of California